

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

DATE: December 15, 2006

SUBJECT: Reports of Significant Developments and Activities
Ending on December 8, 2006

FROM: Richard C. Karl, Director
Superfund Division

TO: Mary A. Gade
Regional Administrator

Bharat Mathur
Deputy Regional Administrator

The activities listed below are organized by site-specific activities, other significant developments, training/conferences, and stakeholder feedback:

SITE-SPECIFIC ACTIVITIES

Emergency Response, Train Derailment, West Frankfort, Illinois

On December 4, 2006, On-Scene Coordinator (OSC) Kevin Turner responded to a Union Pacific (UP) train derailed in West Frankfort, Illinois. Twenty-one of the 79 cars of the train derailed. The West Frankfort Fire Department had responded and ordered the evacuation of residents in a half mile radius around the site of the derailment. This affected 72 homes and approximately 140 people. The West Frankfort Fire Department requested mutual aid assistance from neighboring communities. The mutual aid resulted in 7 neighboring fire departments responding to the scene. Two cars containing an oil additive (luburzol) had ruptured and were leaking into a ditch near the tracks. The rail car of highest concern was carrying a chemical compound called Para-nonylphenol, which is a corrosive and is known to cause skin and eye burns. Also three cars carrying plastic beads had ruptured. The beads had piled up next to the tracks. UP's contractors arrived on site and began air monitoring and recovery efforts.

Contact: Kevin Turner (618-997-0115)

Removal Action Initiated, Carson Laser Site, Winchester, Indiana

On December 5, 2006, the United States Environmental Protection Agency (U.S. EPA) initiated a time-critical removal action at the Carson Laser site located at 2785 East State Road 32 in Winchester, Randolph County, Indiana. In December 2005, the U.S. EPA performed an emergency response action at the site, at the request of the Indiana Department of Environment, to secure drummed wastes that were scattered around the property. The time-critical removal action will include the disposal of 72 drums of flammable wastes and 59 super sacks containing paint chips. Samples were collected from soil in the rear of the site and from an on-site tank to determine if these materials should be addressed as part of the removal action.

Contact: Mike Beslow (312-353-8678)

Settlement, BP Products North America, Inc., Whiting, Indiana

On December 6, 2006, U.S. EPA filed a combined Complaint and Consent Agreement and Final Order to resolve alleged violations of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 103(a) release reporting requirements. The Complaint alleged that BP Products failed to immediately notify the National Response Center of a release of 606 pounds of ammonia (RQ=100 lbs.) which occurred from their facility on December 9, 2004. The release was reported to the National Response Center (NRC) more than 9 hours after occurrence. The release was the result of over pressurization of a storage tank. BP Products will pay a civil penalty of \$20,313. The original proposed penalty was \$13,406. BP Products was given reductions to the proposed penalty for quick settlement, good attitude, and cooperation.

Contact: Ruth McNamara (312-353-3193)

OTHER SIGNIFICANT DEVELOPMENTS**Wisconsin Memorandum of Agreement Signed, State of Wisconsin**

On November 27, 2006, U.S. EPA and the State of Wisconsin signed the One Cleanup Program Memorandum of Agreement (MOA). This MOA provides the framework for the State of Wisconsin to use a single, consolidated approach to the cleanup of a wide range of types of sites through its N.R. 700 rules rather than utilizing a range of separate programs with conflicting approaches and

cleanup standards. The MOA also clarifies the relationship between U.S. EPA and the State of Wisconsin in providing for cleanups in Wisconsin; in particular, the MOA delineates the "enforcement comfort" to be given by U.S. EPA to sites Wisconsin addresses through its program.

The MOA is nationally significant in that it is the first MOA to address cleanup requirements across several environmental media, including the Comprehensive Environmental Response, Compensation, and Liability Act, Resource Conservation and Recovery Act, Toxic Substances Control Act and Leaking Underground Storage Tanks. U.S. EPA and the State of Wisconsin believe this MOA will result in an improved ability to achieve cleanup and redevelopment of contaminated properties in Wisconsin.

Contact: James Van der Kloot (312-353-3161)

TRAINING/CONFERENCES

National Directors Spills of National Significance (SONS 07) Planning Meeting, Washington, D.C.

There was a National Directors SONS Planning meeting conducted on December 6-7, 2006, in Washington, D.C. In attendance from U.S. EPA Region 5 were Sheila Calovich, Ann Whelan (ERB #1) and Virginia Narsette (ERB #2). The purpose of this meeting was to finalize the Frequently Asked Questions checklist, review the calendar of upcoming meetings and events, discuss the Master Sequence of Events List, and discuss the exercise control and evaluation process. One of the main topics was how Area Command in the field and Unified Area Command will function. Mark Mjoness and Beatriz Olivera (U.S. EPA HQ) participated in this discussion. How these commands will be established and the communication structure of these commands is still being worked on. The next directors SONS meeting will take place via conference call on December 20. The next in-person directors meeting will take place in Chicago in January 2007.

Contact: Sheila Calovich (312-353-1505)

STAKEHOLDER FEEDBACK

Thank You Letter (Barbara Carr), Federation of Environmental Technologists, Inc.

A letter received on November 30, 2006, from Anthony Montemurro, Director, Treasurer and Conference chair for the Federation of Environmental Technologists stated "On behalf of the Federation of Environmental Technologists, Inc., I would like to thank you for sharing your expertise and your time at the SPCC Full Day Update seminar on October 24, 2006. Those in attendance rated your presentations outstanding...your knowledge and experience regarding the SPCC rule and the manner in which you present it is a great benefit to our membership. It is a pleasure to have you speak at our programs. FET was founded in 1982 by a group of environmental professionals in the manufacturing, consulting and regulatory community to share information and technology necessary to achieve compliance with environmental regulations. I am once again pleased to consider U.S. EPA a partner in that effort...thanks again for your support and for generously giving your time and knowledge to make this program a success."

Contact: Barb Carr (312-886-7187)

cc: Susan Bodine (OSWER)
Scott Sherman (OSWER)
Barry Breen (OSWER)
Ed Chu (OSWER)
David Lopez (OSRTI)
Ernie Watkins (OSRTI)
Susan Bromm (OECA)
Phyllis Harris (OECA)
Barnes Johnson (OSRTI)
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Elizabeth Southerland (OSRTI)
Larry Zaragoza (OSRTI)
Debbie Dietrich (OEM)
Dana Tulis (OEM)
Craig Beasley (OEM)
Jim Woolford (FFRRO)
Region 5 State Superfund Coordinators
Division/Office Directors
ORA State Coordinators
Regional Team Managers